

REMARKS

It is noted with appreciation that the Examiner has allowed Claims 68-71 and indicated as allowable Claims 51-52, 61-62, 66-67 and 72-74.

Amendment to the Specification:

This specification has been amended to include a passage which was taken directly from related U.S. Patent No. 5,130,242, which was incorporated by reference in its entirety in the present application. Thus, no new matter has been added.

Rejection of Claims 38-50, 53-60 and 63-65 under 35 USC 102(b), or, in the alternative, under 35 USC 103(a):

The Examiner has rejected Claims 38-50, 53-60 and 63-65 under 35 USC 102(b), or, in the alternative, under 35 USC 103(a). The Examiner's rejection is respectfully traversed.

An important aspect of the present invention is the use of microorganisms from a saline environment. Independent claims 38, 53 and 63 have all been amended to include this limitation. In accordance with the present invention, microorganisms from high chloride environments are grown in fermentors with much lower chloride concentrations. For example, many of the present claims are limited to culture mediums having less than 3 grams chloride per liter. This is a much less chloride than found in seawater, which has approximately nineteen grams chloride per liter. As a result, microorganisms which are found in highly corrosive environments, can be grown in much less corrosive culture mediums, resulting in much less corrosion to equipment and reduced disposal problems. The growing of microorganisms from a saline environment in a low chloride culture medium in a fermentor is not taught or suggested by the cited art. The microorganisms disclosed in the Cassidy et al. reference (U.S. Patent No. 4,162,324) cited by the Examiner are *Streptomyces flavogriseus*. According to the ATCC Culture Catalog, both of these microorganisms are found in soils. Therefore, there is no disclosure or suggestion of obtaining the microorganisms from saline environments.

The cited art also does not teach or suggest: (1) the use of microorganisms from a marine or inland saline environment as claimed in Claims 47 and 58; (2) the use of euryhaline microorganisms as claimed in Claims 75, 84 and 85; (3) the use of microorganisms that are capable of growth at a

salinity level which results in a conductivity of from about 5 mmho/cm to about 40 mmho/cm as claimed in Claims 49 and 59; (4) the use of microorganisms that are capable of growth in 60% seawater or 60% artificial seawater as claimed in Claims 50 and 60; (5) the production of lipids as claimed in Claims 76-79; or (6) the use of microorganisms that grow in an environment where sodium chloride is the primary source of sodium as claimed in Claims 80-83.

In view of the foregoing remarks, the Examiner is respectfully requested to withdraw the rejection of Claims 38-50, 53-60 and 63-65 under 35 USC § 102(b), or, in the alternative, under 35 USC § 103(a).

It is respectfully submitted that all claims are in condition for allowance, and it is respectfully requested that the Examiner pass this application to issue. In the event the Examiner does not allow all claims or has any questions regarding the claims, please consider this a contingent request for an interview with the Examiner. In that event, please call the undersigned agent at (303) 863-9700.

Eleven new dependent claims have been added. Enclosed is a check for \$198 for the new claims. It is not believed that any further amounts are due, however if a different amount is due, please debit any underpayment or credit any overpayment to Deposit Account No. 19-1970.

Respectfully submitted,

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